

State of California
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

POSITION DUTY STATEMENT

BU: 2, 7, & Non-represented

EMPLOYEE	CLASS TITLE: Assistant Chief Counsel	HEADQUARTERS: Mather Campus
PROGRAM/UNIT: Office of the Director/Office of Legal Affairs/Legal Services II	POSITION NUMBER: 163-112-5871-904 51061	CBID: M02
TENURE: Limited Term	TIME BASE: Full-Time	WORK WEEK GROUP: SE
EFFECTIVE DATE:	RANGE (IF APPLICABLE): N/A	PROBATIONARY PERIOD: <input type="checkbox"/> 6 Mos. <input type="checkbox"/> 12 Mos. <input checked="" type="checkbox"/> N/A
IMMEDIATE SUPERVISOR:	CONFLICT OF INTEREST CATEGORY: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	DMV PULL PROGRAM: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1. SUPERVISION RECEIVED:
This incumbent will be under the general direction of the Chief Legal Counsel, Office of Legal Affairs.
2. SUPERVISION EXERCISED:
The Assistant Chief Counsel will be the first line supervisor to the attorneys in the Legal Services II Division.
3. PHYSICAL DEMANDS (SEE ADDITIONAL PAGES)
Individual must be able to reason well, know basic research methodologies, be tactful, possess excellent written and oral communication skills, and be willing to learn.
4. PERSONAL CONTACT (WHO THE EMPLOYEE MAY BE IN CONTACT WITH WHILE PERFORMING DUTIES):
This position will interact frequently with a variety of California Governor's Office of Emergency Services (Cal OES) staff from many areas including executive, other state departments and outside public entities. The position may require interaction with control agencies such as the Department of Finance or various legislative committees.
5. ACTIONS AND CONSEQUENCES (AS RELATED TO DUTIES PERFORMED):
Communication in the Office of Legal Affairs is sensitive and material products must be carefully prepared and timely to ensure that issues are addressed and penalties and other significant consequences avoided. The legal advice rendered and other activities of this position may have significant emergency response, public safety, policy, and fiscal ramifications outside of the department and state government
6. EMERGENCY OPERATIONS – ACTIVATION/OPERATIONAL ASSIGNMENT 100%:
When requested to fill an operational assignment and until demobilized, the following duties will be performed and your regular duties may temporarily cease:

When not on-call, standby or Duty Officer status, if called upon by Cal OES Management (including contact from the California State Warning Center), you are required to make contact as soon as possible.

Shall be required to work in the State Operations Center (SOC), Regional Emergency - Operations Center (REOC), Joint Field Office (JFO), Area Field Office (AFO), Local Assistance Center (LAC), or other location to provide assistance in emergency -response and recovery activities. All staff is required to complete operational related training and participate in one of three Readiness Teams that rotate activation availability on a monthly basis if not assigned to an Operational Branch (e.g., Fire/Law/Region). May be required to participate in emergency drills, training, and exercises.

(CONTINUED) EMERGENCY OPERATIONS – ACTIVATION/OPERATIONAL ASSIGNMENT 100%:

Staff need to work effectively under stressful conditions; work effectively & cooperatively under the pressure of short leave time; work weekends, holidays, extended and rotating shifts (day/night). Statewide travel may also be required for extended periods of time and on short notice.

While fulfilling an operational assignment it is important to understand that you are filling a specific "position" and that position reports to a specific Incident Command System (ICS) hierarchy. This is the chain of command that you report to while on this interim assignment.

On Call/Standby/Duty Officer (if applicable)

If assigned on-call, standby or as a Duty Officer, you are required to be ready and able to respond immediately to any contact by Cal OES Management (including contact from the California Warning Center) and report to work in a fit and able condition if necessary as requested.

7. JOB DESCRIPTION/GENERAL STATEMENT:

Under the general direction of the Chief Legal Counsel, Office of Legal Affairs, the Assistant Chief Counsel (ACC), plans, organizes, directs, coordinates, and reviews the most complex work within the Legal Services Division II, Legal Affairs Office. The ACC acts as legal advisor to top management; prepares legislation and represents the department before the Legislature; administrative bodies; formulates legal policy; and participates as a member of top management in the development and implementation of department policy.

This position handles the most complex and sensitive legal tasks for the department, including but not limited to: assisting in ensuring that the federal grant funds are in compliance with policies, procedures, and regulations; updating regulations regarding hazardous materials; representing the department at administrative hearing, providing written and oral guidance on program issues, negotiating complex agreements, drafting briefs for submission to administrative and judiciary bodies, acting as liaison to the legal offices of other departments and the Governor's Legal Affairs Office, assisting the Attorney General's Office in its representation of Cal OES, and providing legal analyses to support executive policy options.

The position requires expertise on all of the unique legal issues that affect the department and the ability to consistently exercise independent professional discretion on a variety of difficult and complex legal issues and strategies.

Percent of Time	ESSENTIAL FUNCTIONS
25%	(E) Supervises, directs, and reviews the most complex legal work of the department. Assists with ensuring legal compliance with every aspect of the department including, but not limited to, Human Resources, Employment, and Labor; EEO; Investigations; Finance & Administration, including Grants and Funding; Privacy; Homeland Security and Cybersecurity; Earthquake Early Warning; Audits; and Disaster Response & Recovery.
20%	(E) Supports and ensures the satisfactory legal resolution of issues raised by the department's contracting, business services, fiscal, and grants management functions. Oversees attorneys' handling of Public Records Act requests, including reviewing voluminous and sensitive documents. Reviews and evaluates pending legislation that may impact Cal OES; provides advice and review of complex contract and procurement matters; clarification of state and federal grants administration issues; provide guidance and review of department regulations for compliance with the Administrative Procedures Act; and advises and reviews the department's compliance with the Information Practices Act and Public Records Act.

15%	(E) Provide oral and written legal advice to the executive staff with regard to policy decisions affecting the state. This includes developing presentations, opinions, legal briefs, and memorandums of understanding to address the wide breadth of programmatic public safety issues under the purview of Cal OES. It also includes exercising a high level of knowledge regarding the legal authorities and responsibilities of all Cal OES' unique programs, including Homeland Security and Cybersecurity; Human Resources, Employment, and Labor; EEO; Finance & Administration, including Grants and Funding; Privacy; Earthquake Early Warning; Audits; and Disaster Response & Recovery. .
10%	(E) Support and ensure the satisfactory legal resolution of issues raised by the department's personnel, labor, equal opportunity, and workers' compensation. This includes providing advice and representation on personnel matters from informal stages through administrative hearings (including at State Personnel Board, California Department of Human Resources, Equal Opportunity Employment Commission, Employment Development Department, and Department of Fair Employment), and appeals to higher courts; interpretation of labor contracts; and counsel and review of equal opportunity, civil rights, and disability rights acts.
10%	(E) Represents the executive office in negotiations with local and state agencies (including other state agencies within the United States), federal agencies, and national associations; developing long-term legal strategies to support the department's mission; serving as the department's liaison to the Governor's Legal Affairs Office; and, providing legal counsel to the statutorily established advisory committees under the purview of the department. This will also include representing the department's legal position before a variety of commissions, advisory groups, and other tribunals.
5%	(E) Provide response and recovery support during and following disasters, including drafting and/or reviewing proclamations, executive orders, and requests for federal assistance; providing support to task forces; ensures adequate legal staffing at the Joint Field Office, when appropriate.
5%	(E) Reviews, monitors, and directs internal audits and legal review to ensure compliance with federal procedures and regulations concerning grants and the distribution of emergency funds throughout the state in for prevention, mitigation and recovery.
5%	(E) Serve as the department's Ethics Officer to promote compliance by its employees and the appointees to the department's various committees with the Fair Political Practices Act and other laws and policies promulgated to minimize conflicts of interests for governmental officers. This includes providing advice to the departments' disclosure filing officer; coordinating training on ethics and conflict of interest rules; interpreting conflict of interest laws; and issuing opinions on potential conflicts of interests.
Percent of Time	MARGINAL FUNCTIONS
5%	(M) Other Related Duties The incumbent will perform other related duties as required to fulfill the Cal OES mission, goals and objectives. Additional duties may include, but not be limited to: (a) assisting where needed within the program, which may include special assignments; (b) complying with general State and Cal OES administrative reporting requirements (i.e. completion of time sheets, project time reporting, travel requests, travel expense claims, work plans, training requests, individual development plans, etc.); and (c) attendance at staff meetings.

	SPECIAL REQUIREMENTS
	Membership in The State Bar of California. (Applicants must have active membership in The State Bar before they will be eligible for appointment.)

PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS					
Activity	Not Required	Less than 25%	25% to 49%	50% to 74%	75% or More
VISION: Reviewing mail; preparing various forms; proofreading documents; reading printed material, computer screens, and handwritten materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HEARING: Answering telephones; receiving verbal information from outside sources; understanding verbal instruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SPEAKING: Receiving visitors; answering inquiries and providing verbal information or instruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MOVEMENT: Delivering material to others; picking up materials from others; copying; faxing; distributing information; filing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SITTING: At a computer terminal or desk; conferring with employees.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STANDING:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BALANCING:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CONCENTRATING: Reviews and reads records/documents, researches, composes, analyzes, compiles, and updates technical documents; multi-tasking; prepares various forms and documents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMPREHENSION: Understanding needs of co-workers, clients; understands procedures and practices; Understands laws, regulations related to their work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING INDEPENDENTLY: Possesses ability to work independently as well as a team member, have good interpersonal and communication skills, ability to follow directions, take initiative, assume responsibility, and exercise good judgment and tact. Must be able to work alone without much guidance or interaction or interaction from other staff.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
LIFTING UP TO 10 LBS. OCCASIONALLY:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PHYSICAL AND MENTAL REQUIREMENTS OF ESSENTIAL FUNCTIONS					
Activity	Not Required	Less than 25%	25% to 49%	50% to 74%	75% or More
LIFTING UP TO 20 LBS. OCCASIONALLY AND/OR 10 LBS. FREQUENTLY:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LIFTING UP TO 20-50 LBS. OCCASIONALLY AND/OR 25-50 LBS. FREQUENTLY:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FINGERING: Pushing buttons on telephone; typing; copying.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
REACHING: Answering phones.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CARRYING: Distributing mail; reports; stocking supplies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CLIMBING: Stairs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BENDING AT WAIST:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KNEELING:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PUSHING OR PULLING:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HANDLING: Documents, manuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DRIVING:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OPERATING EQUIPMENT: Computer; telephone; copy machine; fax.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING INDOORS:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
WORKING OUTDOORS:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WORKING IN CONFINED SPACE: Enclosed office environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

OTHER INFORMATION

Must have knowledge of the state and related federal laws, rules, regulations, policies, and procedures. Must exercise good writing skills; follow oral and written directions, be responsive to the needs of the public and employees of Cal OES and other agencies; analyze situations and take effective action using initiative, resourcefulness, and good judgment. May need to work with limited supervision.

Consistent with good customer service practices and the goals of the Cal OES Strategic Plan, the incumbent is expected to be courteous and provide timely responses to internal and external customers, follow through on commitments, and solicit and consider internal and external customer input when completing work assignments.

SIGNATURES

Certification of Applicant/Employee

Note – If any concerns with performing the duties of this position with or without reasonable accommodation, discuss your concerns with the hiring supervisor, who in turn, will discuss with the Reasonable Accommodation Coordinator.

I certify that I possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others; and a state of health consistent with the ability to perform the assigned duties as described above with or without reasonable accommodation.

I have read and discussed these duties with my supervisor:

Employee's Signature

Date

I certify that the above accurately represents the duties of the position:

Supervisor's Signature

Date

Civil Service Title